

## REMARKS

Favorable reconsideration and withdrawal of the rejections set forth in the Official Action dated October 2, 2002, in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1 through 36 are pending in the application, with Claims 1, 6, 11, 16, 21, 25, 29, and 33 being independent. Claims 1, 2, 4 through 6, 8, 12, 14 through 16, 20, 21, 23 through 25, 27, 29 through 32, and 34 through 36 are amended herein. No new matter has been added.

Claims 1 through 28 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,805,312 (Ozawa, et al.). Claims 29 through 36 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,307,974 (Tsujimoto). The rejections respectfully are traversed.

Claim 1 recites, among other things, selection means for selecting a transfer path for transferring image data by transfer means, and controlling a scanning operation of scanning means in accordance with the transfer path selected by the selection means.

Claims 6, 16, 25, and 33 recite, among other things, determining (or detecting) whether image data are binary data per pixel or multilevel data per pixel, and controlling a transfer path for the image data in accordance with a determination (or detection) result.

Claims 11, 21, and 29 recite, among other things, selecting a transmission (or transferring) speed for transmitting (or transferring) image data, and controlling a scanning operation in accordance with the selected transmission (or transferring) speed.

At least these features distinguish the claims from Ozawa, et al. or Tsujimoto.

Ozawa, et al., in particular, discloses a read operation having a first mode and a second mode. A speed switching portion 411 determines a control timing of a mode control portion 401 according to a copying speed instructed through an operation panel 103. In the first mode, the mode control 401 controls a read control 201 such that a reader 211 reads an image by performing N read main scans during one read sub scan and outputs the read image as an image signal. The mode control 401 also controls a signal processor 221 such that image data corresponding to one read main scan is selected from the image data obtained by the N read main scans and output. During a read operation in the second mode, the mode control 401 controls the read control 201 such that a read sub scan speed becomes N times that in the first mode and the reader 211 reads the image by performing one read main scan during one read sub scan and outputs the read image as an image signal.

However, Ozawa, et al. does not disclose or suggest selection means for selecting a transfer path and control means for controlling a scanning operation of the scanning means in accordance with the transfer path selected by the selection means, as recited in Claim 1.

With regard to Claims 6, 16 and 25, the Office Action states at page 4 that Ozawa, et al. discloses, by way of a binarization circuit 2212, controlling a transfer path for the image in accordance with a determination result. However, the binarization circuit 2212 is understood merely to convert the image signal into binary data. Therefore, Ozawa, et al. is not understood to disclose or suggest controlling a transfer path in accordance with a determination result.

With further regard to Claims 6, 16 and 25, the Office Action states that Ozawa, et al. discloses, at col. 8, lines 10 to 12, determining or detecting whether image data are binary data per pixel or multilevel data per pixel. However, col. 8, lines 10 to 12 is understood to

disclose control of the binarization circuit to convert image data to binary data. Ozawa, et al. is not understood to disclose determining or detecting whether image data are binary data per pixel or multilevel data per pixel, and controlling a transfer path for image data in accordance with a determination or detecting result.

With regard to Claims 11 and 21, Ozawa, et al. does not disclose or suggest selecting a transmitting speed (or transferring speed, as recited in Claim 21) for transmitting (or transferring) image data and controlling a scanning operation in accordance with the selected transmission or transferring speed.

Since Ozawa, et al. does not disclose all of the features of Claims 1, 6, 11, 16, 21 and 25, Ozawa, et al. cannot anticipate those claims. Therefore, the rejection should be withdrawn.

With regard to the rejection of Claims 29 through 36, Tsujimoto discloses an image processing apparatus comprising a scanner unit 105, communication means and a control unit 109. The scanner unit 105 scans an original and converts the original into image data. The communication means has a first transfer mode which does not correct a communication error and a second transfer mode which corrects a communication error, and transfers the image data read by the scanner unit 105 in one of the modes. The control unit 109 controls the communication means to transfer prescanned image data from the scanner unit 105 in the first transfer mode and transfer main scanned image data in the second transfer mode. See Fig. 7.

However, Tsujimoto does not disclose or suggest selecting a transferring speed for transferring image data and controlling a scanning operation in accordance with the selected transferring speed, as recited in Claim 29.

With regard to Claim 33, Tsujimoto is understood to disclose size/position detection by detecting a portion where the input level abruptly changes as the boundary between the original and the read table, using a circuit that detects the dynamic range of the input signal. See col. 7, lines 54 to 59. Tsujimoto is not understood, however, to disclose or suggest determining whether image data are binary data per pixel or multilevel data per pixel (even considering the disclosure at col. 7, lines 55 to 60 noted in the Office Action).

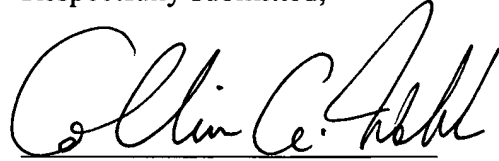
Since Tsujimoto does not disclose all of the features of Claims 29 and 33, Tsujimoto cannot anticipate those claims. Therefore, the rejection should be withdrawn.

The other claims in this application are each dependent, directly or indirectly, from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. However, each dependent claim also defines an additional aspect of the invention, so individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Collin A. Webb", written over a horizontal line.

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**VERSION WITH MARKINGS SHOWING CHANGES MADE TO CLAIMS**

1. (Amended) A document scanning device comprising:  
  
scanning means for scanning an image on a document;  
  
generating means for generating image data based on the scanned image;  
  
transfer means for transferring the image data from said [scanning]  
  
generating means;  
  
selection means for selecting a transfer [mode] path for transferring the  
  
image data by said transfer means; and  
  
control means for controlling a scanning operation of said scanning means  
in accordance with the transfer [mode] path selected by said selection means.
2. (Amended) The document scanning device according to Claim 1,  
wherein said control means controls a [the] scanning speed of said scanning means.
4. (Amended) The document scanning device according to Claim 3,  
wherein said selection means selects the transfer [mode] path in accordance with parameters of  
said interface.

5. (Amended) The document scanning device according to Claim 3, wherein said selection means selects the transfer [mode] path, based on an instruction received from said image processing apparatus via said interface.

6. (Amended) An image processing apparatus comprising:  
input means for inputting image data;  
transfer means for transferring the image data input by said input means;  
determination means for determining whether the image data input by said input means are binary data per pixel or multilevel data per pixel; and  
control means for controlling a transfer path for the image data by said transfer means in accordance with a determination result by said determination means.

8. (Amended) The image processing apparatus according to Claim 6, further comprising an interface for establishing a connection to another image processing apparatus,  
wherein said transfer means transfers the image data to [the other] said another image processing apparatus via said interface.

12. (Amended) The document scanning device according to Claim 11, wherein said controller [means] controls a scanning speed of said scanner.

14. (Amended) The document scanning device according to Claim 13, wherein said selector [means] selects the transfer mode in accordance with parameters of said interface.

15. (Amended) The document scanning device according to Claim 13, wherein said selector [means] selects the transfer mode, based on an instruction received from said image processing apparatus via said interface.

16. (Amended) An image processing apparatus comprising:  
a scanner [scanning] which scans an image on a document and generates image data based on the image;  
a transmitter which transmits the image data from said scanner;  
a detector which detects whether the image data obtained from said scanner are binary data per pixel or multilevel data per pixel; and  
a controller which controls a transfer path for the image data by said transmitter in accordance with a detection result by said detector.

20. (Amended) The image processing apparatus according to Claim 18, wherein said controller selects the transfer mode[, ] based on an instruction received from said image processing apparatus via said interface.



21. (Amended) A control method for a scanner, comprising the steps of:

scanning an image on a document; [and]

generating image data based on the scanned image;

transferring the image data obtained in [the] said generating step;

selecting a [transfer mode] transferring speed for transferring the image data in [the] said transferring step; and

controlling the scanning operation performed in [the] said scanning step in accordance with the [transfer mode] transferring speed selected in [the] said selecting step.

23. (Amended) The control method according to Claim 21, further comprising an interfacing step for establishing a connection to an image processing apparatus,

wherein said transferring step transfers the image data to [said] the image processing apparatus during said interfacing step.

24. (Amended) The control method according to Claim 21, wherein said selecting step selects the [transfer mode] transferring speed in accordance with parameters of said interfacing step.

25. (Amended) A control method for an image processing apparatus, comprising the steps of:

inputting image data;  
transferring the image data input in [the] said inputting step;  
determining whether the image data input in [the] said inputting step are  
binary data per pixel or multilevel data per pixel; and  
controlling a transfer path for the image data in [the] said transferring  
step in accordance with a determination result obtained in [the] said determining step.

27. (Amended) The control method according to Claim 25, further  
comprising an interfacing step for establishing a connection to an image processing apparatus,  
wherein said transferring step transfers the image data to [said] the image  
processing apparatus during said interfacing step.

29. (Amended) A computer-readable program for controlling a scanner, said  
computer-readable program stored in a storage medium, said computer-readable program  
comprising the steps of:

scanning an image on a document;  
generating image data based on the scanned image;  
transferring the image data obtained in the generating step;  
selecting a [transfer mode] transferring speed for transferring the image  
data in the transferring step; and

controlling the scanning operation performed in the scanning step in accordance with the [transfer mode] transferring speed selected in the selecting step.

30. (Amended) The computer-readable program according to Claim 29, wherein [said] the controlling step controls an inputting speed of [said] the inputting step.

31. (Amended) The computer-readable program according to Claim [29] 31, further comprising an interfacing step for establishing a connection to an image processing apparatus,

wherein [said] the transferring step transfers the image data to [said] the image processing apparatus during [said] the interfacing step.

32. (Amended) The computer-readable program according to Claim 31, wherein [said] the controlling step selects [a transfer mode] the transferring speed in accordance with parameters of [said] the interfacing step.

34. (Amended) The computer-readable program according to Claim 33, wherein [said] the controlling step controls an inputting speed of [said] the inputting step.

35. (Amended) The computer-readable program according to Claim 33, further comprising an interfacing step for establishing a connection to an image processing apparatus,

wherein [said] the transferring step transfers the image data to [said] the image processing apparatus during [said] the interfacing step.

36. (Amended) The computer-readable program according to Claim 33, wherein [said] the controlling step selects a transfer mode in accordance with parameters of [said] the interfacing step.